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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,326	10/22/2003	Dean Foote	LAMA121883	8551

26389 7590 09/10/2004

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EXAMINER

PATEL, VISHAL A

ART UNIT PAPER NUMBER

3676

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/692,326

Applicant(s)

FOOTE ET AL.

Examiner

Vishal Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/22/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Canada on 10/22/02. It is noted, however, that applicant has not filed a certified copy of the 2,409,316 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Le (US. 5,199,683).

Regarding claims 1-2: Le discloses a seal assembly (seal assembly of 10) for a reciprocating shaft (34) comprising a body (body 21) having a bore (bore where 34 is extended into), a shaft (34) adapted to move reciprocally within the body between an extended position extending from the body (figure 2 showing the shaft 34 in an extended position) and a retracted position retracted within the body (as seen in figure 1), at least one first circumferential seal (seal 70) positioned in the body and circumscribing the shaft and the shaft having first seal travel area (area of shaft that contacts 1, the first travel area extending from 32 and below 64) which is in contact with the first seal during axial reciprocating movement of the shaft (the first seal 70 will contact the first travel area during axial reciprocating movement of the shaft, seal 70 contacts the shaft both in non extended position as showed in figure 1 and in an extended position as showed

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in figure 2). At least a portion (portion of the first travel area) of the first seal travel area extending from the body where it is exposed to contaminants (contaminants in cavity 22) when the shaft is in the extended position (figure 2).

At least one second circumferential seal (74) positioned in the body and circumscribing the shaft in axially spaced relation to the first circumferential seal, the shaft having a second seal travel area (second area of shaft extending above 54 and outside of 29) which is in contact with the second seal during axial reciprocating movement of the shaft (the second area is in contact with the seal) and the second seal area remaining sheltered within the body even when the shaft is in the extended position (this is the case since the first seal prevents contaminants from entering the space 66).

The first seal travel area and the second seal travel area being axially spaced separate and distinct areas on the shaft (the first and second areas are separate and distinct areas), such that damage to the exposed portion of the first seal travel area leading to a failure of the at least one first circumferential seal does not lead to failure of the at least one second circumferential seal (this is the case since contaminants do not exist on the second area of the shaft) and as the second circumferential seal engages the second seal travel area which separate and distinct from the first seal travel area (the second seal travel area is distinct from the first seal travel area).

The shaft is a ram shaft of a blow out preventer (34 is a ram shaft of blowout preventer, column 4, line 52).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Le Rouax, Peil et al, Thompson, Jones et al, Heinonen and Persson teach a blowout

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preventer having a first and second seals contacting a first area and a second area of a shaft, respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vishal Patel whose telephone number is (703) 308-8495. The examiner can normally be reached on Monday through Friday from 7:30 PM to 4:00 PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann, can be reached on (703) 306-4115.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168. Technology Center 3600 Customer Service is available at 703-308-1113. General Customer Service numbers are at 800-786-9199 or 703-308-9000. Fax Customer Service is available at 703-872-9325.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to: 703-872-9326, for formal communications for entry before Final action: or,
703-872-9327, for formal communications for entry after Final action.

Hand-delivered responses should be brought to Crystal Park Five, 2451 Crystal Drive, Arlington, Virginia, Seventh Floor (Receptionist suite adjacent to the elevator lobby).

VP
August 27, 2004

A handwritten signature in black ink, appearing to read 'Vishal Patel', with a stylized flourish at the end.

Vishal Patel
Patent Examiner
Tech. Center 3600